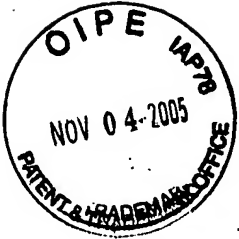


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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of : Confirmation No. 3553  
Louis T. Klauder, Jr. : Group Art Unit 2123  
Application No. 10/506,708 :  
Filed: September 7, 2004 :  
For a Patent for a :  
METHOD FOR DESIGNING GENERALIZED :  
SPIRALS, BENDS, JOGS, AND WIGGLES :  
FOR RAILROAD TRACKS AND VEHICLE :  
GUIDEWAYS : November 2, 2005

PETITION UNDER 37 C.F.R. §1.78(a)(3)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Petition is being filed to claim the benefit of a prior-filed, copending U.S. Patent Application, and to request the acceptance of an amendment to the above-identified U.S. Patent Application which references this claim pursuant to 35 U.S.C. §120 and 35 U.S.C. §365(c).

Pursuant to the requirements of 37 C.F.R. §1.78(a)(3), the following are provided:

An "Amendment Pursuant to 37 C.F.R. §1.78(a)(3)(i)" is submitted with this Petition to provide the present U.S. Patent


Application with the reference to the prior-filed application which is required by 35 U.S.C. §120 and 37 C.F.R. §1.78(a)(2).

A check in the amount of \$1,370.00 is submitted with this Petition to provide the surcharge set forth in 37 C.F.R. §1.17(t). Any additional fees which may be necessary, or any overpayments, can be charged to Deposit Account No. 03-2405.

In furtherance of the requirements of 37 C.F.R. §1.78(a)(3)(iii), it is hereby stated that the entire delay between the date the claim was due under 37 C.F.R. §1.78(a)(2)(ii) and the filing of this Petition and the accompanying Amendment Pursuant to 37 C.F.R. §1.78(a)(3)(i), the date the claim was filed, was unintentional.

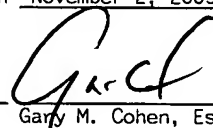
In view of the foregoing, the grant of this Petition and the entry of the amendments presented in the accompanying Amendment Pursuant to 37 C.F.R. §1.78(a)(3)(i) is respectfully requested. Corresponding action is earnestly solicited.

Respectfully submitted,

  
GARY M. COHEN, ESQ.  
Reg. No. 28,834  
Attorney for Applicant  
Tel.: (610) 975-4430

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 2, 2005.

Date: 11/2/05

  
Gary M. Cohen, Esq.